

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LYNN ZELVIN, on behalf of himself and all :
others similarly situated, :
Plaintiff, :
: 23-CV-8322 (VSB)
-against- :
Duckett Fishing, LLC, :
: Defendant. :
: X

ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on September 20, 2023, (Doc. 1), and filed an affidavit of service on October 12, 2023, (Doc. 5). The deadline for Defendant to respond to Plaintiff's complaint was November 1, 2023. (*See Doc. 5.*) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, they are directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than November 17, 2023. If Plaintiff fails to do so or otherwise demonstrate that they intend to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: November 3, 2023
New York, New York



VERNON S. BRODERICK
United States District Judge